

FILED

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of California

FEB 24 2020SUSAN Y. SOULIG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

United States of America

v.

MICHAEL ANTHONY MCCHRISTIAN,

Case No.

4-20-70206*Defendant(s)***MAG****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 21, 2020, in the county of Alameda in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. §922(g)(1)

Felon in Possession of a Firearm and Ammunition

Maximum Penalties: 10 years' imprisonment; \$250,000 fine; 3 years'
supervised release; forfeiture; mandatory \$100 special assessment.

This criminal complaint is based on these facts:

Please see attached affidavit of U.S. Postal Inspector Michael Reilly in support of the Criminal Complaint.

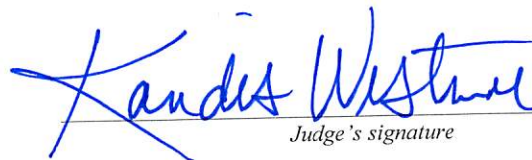
(approved as to form SS AUSA Samantha Schott)☒ Continued on the attached sheet.*Complainant's signature*

Michael Reilly, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date:

2/21/20*Judge's signature*City and state: Oakland, California

Hon. Kandis A. Westmore, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Reilly, a criminal investigator with the United States Postal Inspection Service, being duly sworn, state:

I. INTRODUCTION

1. I am a United States Postal Inspector assigned to the San Francisco Division of the United States Postal Inspection Service ("Inspection Service"), and have been so employed since May 2017. As such, I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I have been assigned to the Contraband, Interdiction and Investigations Team, based in Richmond, California, since January 2020. I was previously assigned to the Mail Theft/External Crimes Team, which investigates postal related crimes including the theft of the United States Mail, and the related crimes of unlawful possession of Postal Service keys, identity theft, check, fraud, credit card fraud, and bank fraud. The Mail Theft/External Crimes Team also investigates robberies of Postal Service facilities and Postal Service employees, including letter carriers. From 2007 to 2017, I was a Border Patrol Agent (BPA) assigned to the El Centro Sector/El Centro Station in Imperial, California. As a BPA, I regularly enforced federal immigration laws. I also was detailed to the El Centro Sector's Prosecutions Office. As a BPA in the Prosecution's office, my duties included being the liaison between the stations that made up the El Centro Sector and the United States Attorney's Office in the Southern District of California. I regularly reviewed arrest reports, criminal histories and Federal Court documents. I also wrote and reviewed federal criminal complaints on a daily basis.

2. I respectfully submit this Affidavit in support of a Criminal Complaint charging Michael Anthony McChristian ("MCCHRISTIAN") with being a felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1).

3. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant of MCCHRISTIAN, I have not included every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that, on or about February 21, 2020, MCCHRISTIAN had in his possession a firearm and ammunition in violation of 18 U.S.C. § 922(g)(1).

4. Where statements made by other individuals are referenced in this Affidavit, such statements are described in sum and substance and in relevant parts only. Similarly, where information contained in reports and other documents or records are referenced in this Affidavit, such information is also described in sum and substance and in relevant part only.

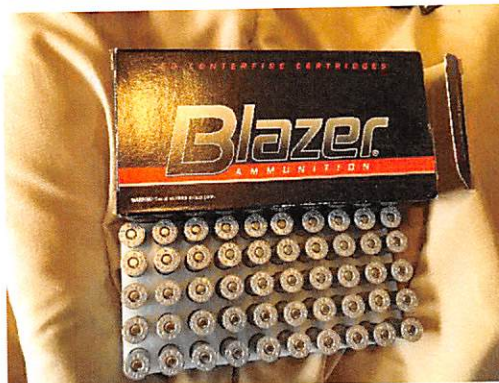
II. FACTS ESTABLISHING PROBABLE CAUSE

5. I have reviewed MCCHRISTIAN's criminal history report as well as conviction documents from the United States District Court for the District of Nevada. I observed that MCCHRISTIAN has been convicted of the following felony offense:

- a) On or about January 9, 2003, in the District of Nevada, MCCHRISTIAN was convicted of Conspiracy to Possess with Intent to Manufacture, to Manufacture, Distribute and Possess with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. §§ 846, 814(a)(1), 841(b)(1)(A)(viii), and 841(d)(1). MCCHRISTIAN was sentenced to 120 months' imprisonment and five years of supervised release.

6. On February 21, 2020, federal law enforcement agents from the U.S. Postal Inspection Service and U.S. Postal Service Office of Inspector General searched MCCHRISTIAN's home in Hayward, California, in the Northern District of California, pursuant to a federal search warrant issued by the Honorable Kandis A. Westmore, U.S. Magistrate Judge, on February 20, 2020.

7. Inside of a toiletry bag in the bedroom closet, Postal Inspector Dallas Lowry found a Colt Cobra .38 Special revolver, bearing serial number 207292LW, loaded with four rounds of ammunition. Inspector Lowry also found a full box of 50 rounds of CCI .38 caliber ammunition, as well as a receipt for eyeglass repair in MCCHRISTIAN's name. The box bears the name "Blazer" but the ammunition has CCI headstamps.



8. Inspector Lowry also found a credit report in the name of "D.L."¹ inside the toiletry bag. I know that "D.L." is a name MCCHRISTIAN has used in the past. I am advised by USPS Office of Inspector General Special Agent Michael Appio that on or about October 2, 2019, SA Appio went to the UPS Store located at 1179 W. A St., Hayward, CA 94541 and obtained the renter application for mailbox #308. The application was in the name "D.L.," but the home address was listed as MCCHRISTIAN's home address in Hayward. The CA driver license provided with the application was in the name "D.L.," but contains MCCHRISTIAN's picture. The second form of ID used was a Costco membership card, in the name "D.L.," but with MCCHRISTIAN's picture.

9. Furthermore, in a recorded call from the Napa County Department of Corrections, dated September 29, 2019, an inmate contacted a phone number believed to be used by MCCHRISTIAN. A male individual answered the phone, and the inmate referred to the male as "Mike." The inmate and "Mike" discussed the inmate's bail situation, and "Mike" told the inmate not to worry about cosigners for her bond because "I got D.L. I got a few people that can cosign. You know what I mean?" "Mike" then stated, "I got D.K.² that can cosign for you." Based on my training and experience, I believe "Mike" was indicating that he had identification cards in D.L. and D.K.'s names, and could cosign a bond using those identities.

10. I am informed by interstate nexus expert Special Agent Andrew Balady of the Bureau of Alcohol, Tobacco, Firearms, and Explosives that neither the Colt Cobra .38 Special revolver, bearing

¹ The credit report spells out D.L.'s full name, but to protect D.L.'s privacy, only initials are used in this affidavit.

² "Mike" referred to D.K. by his full name, but to protect D.K.'s privacy, only initials are used in this affidavit. I know that D.K. is a former resident of Danville, CA, who passed away in January 2019. I have reviewed surveillance images and bank records from Chase Bank which show that on or about February 5, 2019, MCCHRISTIAN signed withdrawal slips as D.K. at a Chase Bank branch in the District of Utah in order to obtain more than \$60,000 in cashier's checks and cash from D.K.'s mother's bank account. I have also reviewed surveillance images and bank records from Bank of America which show that on or about February 7, 2019, MCCHRISTIAN signed withdrawal slips as D.K. at a Bank of America branch in the District of Utah in order to obtain at least \$36,000 in cashier's checks and cash from D.K.'s bank account. I have also reviewed surveillance images and bank records from Bank of America which show that between February 11, 2019, and February 14, 2019, MCCHRISTIAN withdrew at least \$2,500 from D.K.'s bank accounts at Bank of America ATMs in Hayward, CA, and San Leandro, CA. On February 21, 2020, during the search of MCCHRISTIAN's home, law enforcement agents recovered a California driver license in D.K.'s name but bearing MCCHRISTIAN's photograph and the address of the UPS mailbox rented under D.L.'s name.

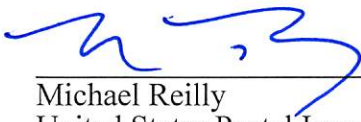
1 serial number 207292LW, nor the 50 rounds of CCI .38 caliber ammunition, were manufactured in the
2 state of California.

3 11. Based on the above, I believe both the firearm and ammunition were shipped or
4 transported from one state to another or between a foreign nation and the United States in order to arrive
5 in California.

6 III. CONCLUSION

7 12. Based on the information set forth in the paragraphs above, I submit that there is probable
8 cause to believe that on or about February 21, 2020, in the Northern District of California, Michael
9 Anthony MCCHRISTIAN did knowingly possess a loaded Colt Cobra .38 Special revolver and 50
10 rounds of CCI ammunition, knowing he had previously been convicted of a crime punishable by a term
11 exceeding one year in prison, in violation of 18 U.S.C. § 922(g)(1). Accordingly, based upon the
12 foregoing, I respectfully request that the Court sign the requested criminal complaint and issue the
13 requested arrest warrant.

14 13. I declare under penalty of perjury that the statements above are true and correct to the
15 best of my knowledge and belief.

16
17 
18 Michael Reilly
United States Postal Inspector
United States Postal Inspection Service

19
20 Subscribed to and sworn before me this 21st day of February, 2020.

21
22 
23 HONORABLE KANDIS A. WESTMORE
24 UNITED STATES MAGISTRATE JUDGE